

FORM PTO-1390  
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

211-219

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**107070561**  
To Be Assigned

INTERNATIONAL APPLICATION NO.  
PCT/GB00/03489

INTERNATIONAL FILING DATE  
11 September 2000 (11.09.2000)

PRIORITY DATE CLAIMED  
10 September 1999 (10.09.1999)

TITLE OF INVENTION

**NEW ACTIVE MARINE ALKALOIDS**

APPLICANT(S) FOR DO/EO/US

**Guido Cimino et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
  4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☒ have not been made and will not be made.
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 16 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☐ A substitute specification.
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information: **Copy of the International Preliminary Examination Report; and Return Receipt Postcard**

U.S. APPLICATION NO. (if known) **3** CFR **101-070581**  
To Be Assigned

INTERNATIONAL APPLICATION NO.  
**PCT/GB00/03489**

ATTORNEY'S DOCKET NUMBER  
**211-219**

21. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... **\$1040.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	\$1940.00
.....	\$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$740.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .	\$710.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .	\$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00
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**ENTER APPROPRIATE BASIC FEE AMOUNT =**

### CALCULATIONS PTO USE ONLY

**\$ 890.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	6 - 20 =	0	\$18.00

Independent claims	5 - 3 =	2	x	\$18.00
MULTIPLE DEPENDENT CLAIMS (2)			x	\$84.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable)	x \$84.00
	+ \$280.00

<b>TOTAL OF ABOVE CALCULATIONS</b>	<b>=</b>	<b>\$ 1,058.00</b>
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☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL =**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

<b>TOTAL NATIONAL FEE</b>	=	<b>\$ 1-058.00</b>
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<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property</p>		+
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<b>TOTAL FEES ENCLOSED</b>	=	\$ 1,058.00
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Amount to be refunded:	\$
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charged:	\$
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- a. ☒ A check in the amount of \$ 1,058.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1730. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

KASHMAN, David S.  
GOTTLIEB RACKMAN & REISMAN PC  
270 Madison Avenue  
New York, NY 10016-0601  
US

SIGNATURE

**David S. Kashman**

NAME  
28,725

REGISTRATION NUMBER

Attorney's Docket No. 211-219

IN THE UNITED STATES

☐ RECEIVING OFFICE (RO/US)  
☒ DESIGNATED OFFICE (DO/US)  
☒ ELECTED OFFICE (EO/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

PCT/GB00/03489 11 September 2000 (11.09.00) 10 September 1999 (10.09.99)

TITLE OF THE INVENTION

NEW ACTIVE MARINE ALKALOIDS

APPLICANT

Guido Cimino et al.

Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

ATTENTION: DO/EO/US

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE  
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))**

I declare that on 8 March 2002 I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EL 803247795 US, addressed to the "Box PCT, Commissioner for Patents, Washington, D.C. 20231" and having an express mail certification which I executed, the following papers:

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C.371, duly executed; Copy of the International Application, as published (13 pages); Copy of the International Preliminary Examination Report (6 pages); Check for \$ 1,058.00 (filing fees); and Return Receipt Postcard

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Zoya V. Chernina

(Typed or printed name of person making this verified statement)

Date: 8 March 2002

Zoya Chernina  
(Signature of person making this verified statement)

(Verified Certification of Express Mailing Date (International Application))